

October 2, 2015

VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Stephanie A. Joyce

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Re: WC Docket No. 12-375, Reply to CenturyLink Notice of *Ex Parte* (Sept. 28, 2015)

Dear Secretary:

Securus Technologies, Inc. (“Securus”) hereby responds to the Notice of *Ex Parte* that CenturyLink filed in this docket on September 28, 2015 (“CTL *Ex Parte*”). Specifically, Securus would like to address CenturyLink’s proposals regarding so-called “‘single pay’ or ‘premium payment’ inmate calling.”¹

CenturyLink begins by making the assertion that these innovative, additive calling choices “[r]educ[e] [i]nmate [c]hoice.” CTL *Ex Parte* at 1. This statement is impossible as a matter of logic. But CenturyLink attempts to support its impossible assertion with a further, incorrect assertion that these optional, convenient, additive calling methods are “potentially confusing” because consumers do not know that other types of calls are possible. CTL *Ex Parte* at 2.

CenturyLink then states that it has partnered with ICS provider ICSolutions to investigate these optional, convenient calling services. This investigation could never be called “impartial”: ICSolutions has chosen not to develop such services, unlike Securus which spent “approximately \$40 million” to add these call options to its panoply of services. Securus May 19 Response. In addition, this CTL-ICSolutions investigation bears no relation to reality.

¹ CenturyLink’s proposed definition of these services is muddled. Securus provides Text2Connect, which enables an inmate to place a collect call to a cellphone, and PayNow, which enables a called party to pay for the call at point of sale rather than wait to set up a billing arrangement. *E.g.*, WC Docket No. 12-375, Letter from Stephanie A. Joyce, Counsel to Securus, to Marlene H. Dortch, FCC, at 1-2 (May 19, 2015) (responding to another CenturyLink *ex parte* asking the Commission to eliminate “premium or convenience payment options”) (“Securus May 19 Response”).

First, the called party/payor for Text2Connect and PayNow calls is informed very clearly that a prepaid account, tradename “AdvanceConnect”, can be established over the phone for any future call. Unless the called party/payor affirmatively accepts the one-time PayNow or Text2Connect call, they will not get charged for the call.

The announcement that every called party hears on every Text2Connect and PayNow call is:

If you would like to continue this call of up to <call duration of PayNow> by accepting a charge to your credit or debit card of \$14.99, please press 1

If you would like to continue this call of up to <call duration of Text2Connect> by accepting a charge to your mobile telephone bill of \$9.99, please press 2

If you would like to set up or add funds to a prepaid AdvanceConnect Account in order to pay for future calls, please press 3

Most importantly, if the called party/payor has a billing relationship with Securus, the inmate’s call will not even be routed as a PayNow or Text2Connect call. The call will be treated as a collect call, either prepaid (for landline and cellphone calls) or post-paid (for landline calls).

Second, CenturyLink’s allegation that the number of inmate calls increased at certain correctional facilities after ICSolutions took over is extremely suspect. CTL *Ex Parte* at 2-3. Securus cannot verify or accept the purported data that CenturyLink puts forth. Securus therefore invites CenturyLink to cooperate, at Securus’s expense, in an independent, third-party study of call traffic where Text2Connect and PayNow are in place compared to sites where they are not. If CenturyLink wishes the record to contain credible evidence, it will accept this offer.

Text2Connect and PayNow are innovative, valuable additions to ICS. They enable immediate communication with friends, families, and attorneys. They save lives and prevent crimes. They require double acceptance by the called party/payor: once to accept the inmate’s call and once to accept the one-time charge.²

The CenturyLink *Ex Parte* uses incorrect information to encourage the Commission to decrease consumer choice. It should not be afforded any credibility.

Thank you for your consideration.

² Securus May 19 Response at 1-2; *see also* WC Docket No. 12-375, Letter from Stephanie A. Joyce, Counsel to Securus, to Marlene H. Dortch, FCC, at 5 (Oct. 6, 2014).

Sincerely,

s/Stephanie A. Joyce

Counsel to Securus Technologies, Inc.

cc: Chairman Tom Wheeler
Commissioner Mignon Clyburn
Commissioner Jessica Rosenworcel
Commissioner Ajit Pai
Commissioner Michael O’Rielly
Stephanie Weiner, Legal Advisor to Chairman Wheeler
Rebekah Goodheart, Legal Advisor to Commissioner Clyburn
Nicholas Degani, Legal Advisor to Commissioner Pai
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(All via electronic mail)